MINUTES OF THE HERITAGE PRESERVATION COMMISSION

CITY OF SAINT PAUL, MINNESOTA
Lower Level – Room 41, City Hall/Court House, 15 West Kellogg Boulevard
May 12, 2011

Present: Richard Dana, Robert Ferguson, Jennifer Haskamp, Matt Hill, Renee Hutter, Rich

Laffin, John Manning, David Riehle, Steve Trimble, Diane Trout-Oertel

Absent: Mark Thomas (excused), Matt Mazanec (excused) **Staff Present:** Amy Spong, Christine Boulware, Becky Willging

BUSINESS MEETING

I. CALL TO ORDER: 5:05 PM by John Manning (Chair)

II. APPROVAL OF THE AGENDA: – The agenda was approved as presented.

III. CONFLICTS OF INTEREST: – None were stated.

IV. CHAIR'S ANNOUNCEMENTS: - None were stated.

V. STAFF ANNOUNCEMENTS:

- **A.** April Design Review Statistics (see attached)
- **B.** Legislative Hearing Notification

VI. HISTORIC RESOURCE REVIEW:

A. 763 Fourth Street East, Dayton's Bluff Historic District, for a historic resource review on a nuisance property declared by the Department of Safety and Inspections, Division of Code Enforcement. The property is a Vacant Building Category 3 and has been issued an order to abate. **File #11-014** (Boulware, 266-6715)

Staff Boulware presented the historic resource review for the Julius Coney House, and reviewed the findings and recommendations. Staff then presented photos of the property. Chair Manning asked if the house had lap siding. Staff said there was an asphalt shingle style, but that there weren't any areas where the original was exposed. Staff noted that the house was duplexed at some point. Commissioner Dana asked if staff had been inside the house. Staff Boulware replied that only inspectors had been inside the house and taken interior conditions photos, though nothing indicates that there are any structural issues. Staff Spong said that the inspectors have to document the "nuisance." such as excessive amounts of trash, so staff doesn't usually get to see photos of general conditions. Commissioner Dana asked if the house was duplexed, does that mean that there is a bathroom on each floor. Staff responded that they don't know how the house is arranged. Commissioner Riehle asked what happened to the owner. Staff Boulware responded that at the legislative hearing, they do keep track of when they send out notifications to the owner, whether it was received or returned, and there are two addresses in St. Paul and Cottage Grove that they tried to send the notice to and both were returned. She also noted that a bank might be involved, but she wasn't entirely sure, and that Ramsey County lists the owner listed in the Historic Resource Review as the current owner, though the Order to Abate lists that additional parties are involved.

Commissioner Trimble asked if the inspectors who go into homes located in historic districts give HPC a chance to go inside. Staff Spong replied that they would if the HPC knew about it, but the inspectors go in at very different times or for different reasons.

She said that the HPC would have to figure out how they would get notified of such visits. Commissioner Riehle asked how inspectors get in. Staff Spong said that an order has to be made, usually on a complaint basis or violation of code compliance issued by a bank. Staff Boulware said that it happens more for a Category 2, because once a property gets to Category 3, the owner can't sell. Staff Spong said it's known as the Bostrom ordinance, which the City adopted a couple years ago, that a Category 3 building can't be sold until it's brought up to code compliance by the current owner. Staff Boulware added that the property will go into tax forfeiture on August 1.

Though the Business Meeting wasn't a public hearing, Chair Manning permitted Mark Statz of 326 Maple Street to give his remarks regarding the house. Mr. Statz lives in an adjacent house to the property under review. As a neighbor he would like to see the house torn down. He understands and appreciates the historic district, he removed stucco siding from his house and replaced it with lap siding. He feels that the house is beyond repair, there are two windows that are open and have been open for over a year, including through the winter. He doesn't think anything besides the studs would be salvageable. He was inside the house about five years ago when it was in decent condition, but no one has been living in it for several years. If it was something he thought was viable for repair, he would love to see it repaired and with a new neighbor, but as it stands he already has another vacant property on the other side of his house. If the HPC decides not to tear the house down and instead preserve it, he doesn't think that without the bank owning it and going through property tax forfeiture, the process is too lengthy, and would require finding a buyer willing to invest enough money into the house to restore it, and the economics of aren't feasible. He mentioned the 4th Street project that the City has undertaken, where proposals are being solicited but rejected because they aren't what the City is looking for. He doesn't think that anyone would be willing to put enough money into the house to bring it up to City standards. Chair Manning responded that the staff recommendation is for an assessment by a structural engineer to complete a historic structure investigation and appraisal to include a recommendation on the feasibility of restoring the structure. He clarified that what staff is asking for is an outside view on what Mr. Statz is assuming, either confirming it or to come up with a different conclusion. He then asked for clarification regarding the timeline and the City process not resuming until July. Staff Boulware confirmed that it will go back to legislative hearing on June 14, and the legislative hearing officer will make a recommendations to City Council on July 6. Mr. Statz asked if this meeting was a result of the legislative officer wanting more information. Staff Boulware confirmed that it was, and that the HPC was making a recommendation and the Commission will be voting on staff recommendations which will go back to the legislative hearing officer to be considered by City Council. Staff Boulware said that she would send Mr. Statz a copy of the meeting minutes from the public hearing once they're published, or he can request a copy, and he can see some of the discussion that happened at the meeting. Mr. Statz asked if there was anyone at the legislative hearing that wanted to see the house remain. Staff Boulware said no. Commissioner Dana asked if the decision to tear the house down won't happen until July 6 at the soonest. Staff Boulware confirmed. Staff Spong said that the house is designated by City Council as a contributing building to the historic district and if the private homeowner came to the HPC with a demolition permit, it would be reviewed and the decision would be final by the HPC, with an opportunity for the homeowner to appeal; this is the part of the city ordinance that allows the Mayor and City Council to order to remove the building without HPC review. Commissioner Ferguson asked what the timeline would be if the HPC does recommend the historic structure investigation, and Staff Boulware responded that the City Council would establish the timeline. Commissioner Haskamp asked what the costs were

associated with the historic structure investigation. Staff Spong replied that the HPC has only done a few structure reports that required survey analysis that DSI paid for, which was approved by the City Attorney, and sometimes the costs could be assessed back to the property taxes. Commissioner Trimble said that Harry Blackman grew up within a block of the house. Commissioner Laffin asked what the future of the lot might be if demo is permitted - whether it would be a parking lot, access alley, or new house. Staff Spong said that any new construction within the district would have to comply with the district guidelines. She said that she asked Sheri Pemberton from PED about the alley access idea, and Sheri implied that it was challenging for many reasons, one reason being that realtors don't want shared parking. Commissioner Riehle said that a good effort should be made to determine if the house can be saved, and it's up to a professional to decide. Chair Manning agreed, as did Commissioner Ferguson, but his concern is that will take too long to make a decision. Commissioner Trout-Oertel agreed, but that it wasn't necessarily an issue if only the studs could be salvaged, because it could be an advantage to making the house attractive to modern lifestyles. Commissioner Haskamp also said she agreed to a certain extent, but because of the concerns of the neighbors, it was appropriate to have a timeline put into the recommendation. Staff Spong replied that the legislative hearing officer handles the timeline and is very aware of neighbor concerns. Commissioner Dana asked if there was any way the assessment could be done before July 6. Staff Boulware replied no, that the recommendation had to come from the legislative hearing officer to City Council. Commissioner Trimble asked if staff could get inside. Staff Spong said that staff might be able to get in with other organizations looking at the building. Chair Manning said that establishing a timeline for the structure assessment in the recommendations is important, and suggested language to be added. Commissioner Riehle motioned approval for the additional language in the recommendation. Commissioner Dana seconded the motion. The motion was motion was passed 10-0.

VII. NEW BUSINESS/DISCUSSION: None stated. However, Commissioner Laffin had old business to report regarding the PHA request for the HPC to consider placing a solar array on a building on Laurel. The HPC approved the request, but asked that the owner to consider screening the solar ray. Commissioner Laffin spoke with a PHA representative who said that the original screen had been replaced with a more visually pleasing version. He said that it proved that some people have good intentions in regards to their historic neighborhoods and HPC recommendations.

Chair Manning mentioned the article that was printed in the *Pioneer Press* with misleading information criticizing the HPC for their restrictions. PED is going to connect with the newspaper and the editor to set the record straight because there were a lot of inaccuracies. The Mayor's communications director is also involved to ensure that they provide a more articulate response. Chair Manning suggested that staff email the article to the Commissioners. Commissioner Trimble suggested that the response be sent to District 17 and the elected officials. Chair Manning agreed and suggested the Commissioner Ferguson send it to Lowertown contacts from the Taskforce.

VIII. COMMITTEE REPORTS:

A. Education Committee (Ferguson, Thomas, Trout-Oertel – Nothing to report from Commissioners. Christine is working on an enforcement ordinance flowchart. Chair Manning suggested a mapping of the proposed system and how it differs and how it's an improvement. Commissioner Ferguson said it would be helpful to have a similar chart to demo delay. Staff Spong said she already created one showing how

- it was thought to work and separated it by public and private.
- B. Greater Lowertown Master Plan Taskforce (Ferguson) Next meeting on May 17, and a workshop schedule for May 21. An outline is in place for the plan, which will be the focus of the next two meetings, as well as getting ready for the June 7 community meeting. He said he had questions regarding the historic preservation element of the plan, and discussed a diagram that was included in an earlier part of the plan; however, the plan was not structured after this diagram. He went on to break down the structure of the plan, and asked the Commission to send him suggestions via email which he will bring to the Taskforce meetings. He was concerned that the plan suggested new guidelines, and that the language should be changed to reflect an adherence to the guidelines already in place. He mentioned that consultants suggested creating character or sub-districts within the main district. He said that streetscape is one of the main things that should be addressed in the new guidelines. Staff Boulware said that guidelines are 30 years old and need to be looked at again. Chair Manning asked what the timeline is for getting the process going for the revised guidelines. Staff Spong responded that it was partly up to the Met Council. Chair Manning said that they should get the Met Council to prioritize this. Staff Spong asked Commissioner Ferguson if he had a deadline for when he's suppose to get feedback. Commissioner Ferguson said that he could take any information he gets prior to the meeting on May 21 with him. Chair Manning said it was important to flag the issues and the timeline so that people have enough time to share input. Commissioner Ferguson said the next opportunity for public input is June 7. Staff Spong asked if they draft plan was going to be unveiling on that date. Commissioner Ferguson confirmed that it is the third of three public meetings to get closer to adopting the plan. Staff Spong said that wording is not consistent with the Comp Plan chapter for devising new guidelines.
- C. Saint Paul Historic Survey Partnership Project (Trimble, Manning) Commissioner Trimble attended the three outreach meetings. The Payne-Phalen meeting was not as successful as they'd hoped, mostly because the attendees had different expectations of what the meeting was about. Staff Spong added that she and the consultants drove around each of the neighborhoods to see how they were interpreting integrity and where they were going to be making recommendations for a potential historic district, and in areas where they don't think they have enough information or there are integrity issues they will identify as survey areas. They also discussed thematic nominations for scattered sites with integrity intact. Commissioner Trimble said the East Side meeting did not have much community input. He said that not one of the three meetings had discussion beyond the immediate memories of those present; anything older than the 1930s is not well documented, and there was no discussion of significant people, only architectural elements. The Frogtown meeting was similar but more participation; there was no sense of what was happening in the late 19th century. Not a lot of strong historic work going on in any of the neighborhoods. The West End meeting had a greater look at history, but not much, most people were limited to knowledge of their own house. There hasn't been a careful look at finding significant research regarding prominent people. Chair Manning asked what the timeline is, and suggested that one be fleshed out. Staff Spong added that they need to determine where the recommendations will go, and that the District Councils need to take the lead and make recommendations to the HPC and help the Commission prioritize. Commissioner Trimble said that it was important that specific addresses be assigned to the different surveys, and that none were offered at any of the meetings.
- **D.** Public Safety Building Mitigation The Penfield (Manning) Nothing to report.
- E. 3M Advisory Committee/Workgroups update (Trimble, Mazanec) Commissioner

- Trimble said there were talks about convincing the Ironton people to request that the Port Authority give the building another chance. Staff Spong said she got an email from the early notification system for site plan review for demo.
- **F.** 2011 Heritage Preservation Awards Committee (Hutter, Laffin, Trout-Oertel) Staff Boulware said they will be assembling the certificate frames, and that there would be a surprise presenter. Staff Spong said she spoke with the PED public relations person who will be sending out a notice on the Friday before the event, as well as on Monday to encourage people to attend, and to get media coverage. Commissioner Laffin volunteered to help frame. Staff Spong will set up a template script for Chair Manning to revise.

IX. ADJOURN: 6:38 P.M. Submitted by: B. Willging